IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE D.APPA RAO

–
–

WRIT PETITION No.7623 OF 2006

Between:

V.Anasuyamma, w/o.B.Maddileti.

..... PETITIONER

AND

The Station House Officer,
K.V.Palli P.S. Chittoor District,
And others.

....RESPONDENTS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

WRIT PETITION No.7623 OF 2006

O R D E R
(Per Sri Justice J.Chelameswar)

This writ petition is filed with a prayer as follows:

> **"…… Hon'ble Court may be pleased to issue a writ of Habeas Corpus under Article 226 of the Constitution of India directing the respondents to produce the petitioner's son B.Madhu Babu, S/o B.Maddileti, aged 20 years, who was studying M.P.C. (English Medium) II year in the 4th respondent college before this Jpm'ble Court forthwith and to pass …"**

The petitioner complains that her son Mr.B.Madhu Babu aged 20 years, who was a student of A.P. Residential Junior College, Gyarampalli, Chittoor District, was missing from the hostel of the above-mentioned college. It appears from the affidavit filed in support of the writ petition that on 06.06.2003 the petitioner's son went to the 4th respondent College and on 07.06.2003, when the petitioner telephoned to the 4th respondent, the petitioner was informed that her son reached the college. However, on 25.06.2003 the 4th respondent college informed to the petitioner that her son was missing from the college. Thereupon, the petitioner and her family members went to the college and made enquiries and then they learnt that the son of the petitioner was missing from 08.06.2003. Thereafter, on 01.07.2003 a complaint was lodged with the K.V.Palli Police Station and the same was registered as Crime No.51 of 2003. Complaining that the Police

Officers are not taking any action on the complaint, the present writ petition is filed.

A counter-affidavit is filed by the Respondent No.1, wherein it is stated that during the course of investigation of the above-mentioned crime, they came to know that on 08.06.2003, a person whose identification could not be immediately established, died in a road accident when he was hit by a lorry bearing No.AP-16U-9390 and the same was registered in Crime No.41 of 2003 of Kalikiri Police Station of Chittoor District under Sections 304-A and 279 IPC.. Thereupon, the 1st respondent went to the above-mentioned Kalikiri Police Station and examined the case record of Crime No.
41 of 2003, and he entertained a doubt that the deceased could be the son of the petitioner herein. Thereafter, he sent a message to the petitioner's family on 25.04.2006 calling upon the petitioner and her family members to identify the photographs of the person who died in the above-mentioned road accident. It appears that the petitioner's daughter – the elder sister of the missing person went to the police station and examined the photographs of the dead body and identified the dead person to be that of her brother. The fact that the petitioner's daughter visited the 1st respondent Police Station and identified the photographs is not disputed by the petitioner.

In the circumstances, we do not see any reason to proceed further in the writ petition and the same is therefore dismissed.

JUSTICE J.CHELAMESWAR

JUSTICE D.APPA RAO

29TH JUNE, 2006
PGS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–

WRIT PETITION No.7623 OF 2006
(Per Sri Justice J.Chelameswar)

29TH JUNE, 2006